

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
UNITED STATES OF AMERICA,

15-cr-379 (PKC)

-against-

ORDER

JUAN ORLANDO HERNANDEZ,

Defendant.

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CASTEL, U.S.D.J.

In accordance with the schedule set by the Court, the Court has received from cleared counsel for defendant Juan Orlando Hernandez his motion pursuant to section 5 of CIPA. Section 5 provides that the defendant shall “notify the attorney for the United States and the Court in writing” with a brief description of the classified information he reasonably expects to disclose at trial. This is to enable the government a reasonable opportunity to seek a determination under section 6 of CIPA and, if necessary, pursue an appeal under section 7.

Despite the clear requirement of section 5, cleared counsel has not served her section 5 notice on the government. Let the defendant Juan Orlando Hernandez show cause in writing by September 28, 2023, at 2pm why the Court ought not order the immediate turnover of the defendant’s September 22, 2023 section 5 notice to the government.

SO ORDERED.

  
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P. Kevin Castel  
United States District Judge

Dated: New York, New York  
September 22, 2023